IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 33 of 2005

Mrs.Fatima Faisal .. Petitioner

versus

Municipal Corporatio of Gr.
Mumbai & ors. .. Respondents

...

Mr.P.K. Dhakephalkar a/w Pradeep Ramchandani for the petitioner.

Mrs.Archana Joshi for the respondent.

CORAM : D.G. KARNIK, J

DATED : 12th June 2006.

P.C.:

1. This Writ Petition is directed against the three orders (Exhibit M, F and S) passed by the respondent no.4 fixing the rateable value in respect of the properties of the petitioner. Learned counsel for the petitioner states that the petitioner has already filed substantive appeals under the provisions of

Mumbai Municipal Corporation Act 1888 challenging the said orders. The appeals are pending before the Small Causes Court, Mumbai.

2. The petitioner thus not only has an alternative efficacious remedy but has availed of the same. In the circumstances, learned counsel for the petitioner seeks leave to withdraw this petition with liberty to challenge the impugned orders under the MMC Act 1888 in the appeals which are already pending.

3. Leave granted. Petition disposed of as withdrawn with liberty as above.

(D.G. KARNIK, J)